

A bill (S. 3100) to amend title 18, United States Code, to limit the misuse of social security numbers, to establish criminal penalties for such misuse, and for other purposes.

The PRESIDING OFFICER (Mr. CARPER). The bills will be placed on the calendar.

#### EXTENSION OF MORNING BUSINESS

Mr. REID. Mr. President, the hour of 3 o'clock will be here in a minute or so. I ask unanimous consent that morning business be extended for an additional 30 minutes, with Senators permitted to speak therein, with the exception of Senator KENNEDY. I ask that he be granted 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts is recognized.

#### UNANIMOUS CONSENT REQUEST

Mr. KENNEDY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 619, S. 3009, a bill to provide for a 13-week extension of unemployment compensation; that the bill be read the third time, passed, and motion to reconsider be laid upon the table, without intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, may I ask the sponsor of the bill, doesn't this, in effect, provide for a 26-week extension of Federal unemployment compensation instead of 13 weeks?

Mr. KENNEDY. The Senator is correct, for certain States that qualify. This is similar to what we did in the early 1990s. The Senator is quite correct.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. KENNEDY. Mr. President, I think I have the floor. I propounded a unanimous-consent request for the immediate consideration of the measure.

Mr. NICKLES. I object.

The PRESIDING OFFICER. There is objection.

Mr. KENNEDY. Mr. President, I regret, for the reasons I will outline just shortly, that we continue to have opposition of the Republican leadership to extending the unemployment compensation program that can make all the difference in the world for families who are running through their current unemployment compensation and have to meet their mortgage payments, have to pay for the food on their tables, have to support their children in schools. People are hurting. I can give a more detailed description of what is happening in the country, but I regret we continuously have an objection by our colleagues on the other side.

We know going back to the early 1990s, former President Bush objected to the extension of unemployment compensation and then, finally, saw the wisdom of it and indicated he would support the extension of unemployment compensation. We had a series of votes with more than 90 Members voting in favor of the extension of unemployment compensation for the very sound reason that these workers have paid in to the fund. The fund is in surplus, it now has some \$27 billion. The Senator is quite correct that it would cost approximately \$17 billion should this program go into effect now to assist those who have paid in to the program.

The point of unemployment compensation is, unless you have paid in, you do not receive. So these are funds that have already been paid by workers with the purpose in mind that if the economic conditions are such as at present, that if there is a temporary period where they cannot find jobs, this would help those families during those valleys. That was always the thought behind unemployment compensation. The fund is in surplus, and still there is an objection to the extension. It will make an enormous difference to close to 2 million families in this country by the end of the year and 3 million by the early part of February.

There was one comment my friend from Oklahoma stressed, and that is: Where are the appropriations bills? Congress has not done its work; we have only considered 2 out of the 13 appropriations bills. The last time I read the Constitution, the appropriations bills originated in the House of Representatives, and that happens to be under Republican leadership. Do you understand? That is under Republican leadership. So when the good Senator said Congress is at fault, we know where the fault lies in terms of the appropriations bills which he mentioned.

#### THE UNFINISHED BUSINESS OF AMERICA'S WORKING FAMILIES

Mr. KENNEDY. Mr. President, I congratulate our leader and thank him for an excellent address this afternoon. I also thank my friend and colleague, the Senator from Michigan, Ms. STABENOW, who has been such a leader on the issue of prescription drugs. The leader was much too self-assuming when he failed to take credit for the fact that this was the first time the Senate has ever debated a prescription drug program, and it was done so because we had a Democratic leader, TOM DASCHLE, who insisted we call up this legislation.

I heard earlier today: We did not have a prescription drug bill because the Finance Committee could not do one. For 5 of the last 6 years, the Republicans have been in charge of the Senate, and when they were in charge, we never had a prescription drug bill. The American people ought to understand that. Before one cries crocodile

tears at the pleading of my friend from Oklahoma, the fact is the Senate never considered a bill because the Finance Committee could not complete a bill, and the Democratic leader brought a bill to the floor of the Senate.

We passed a good bill, not the bill I would have liked to have seen, a program that would have been built upon the Medicare system. I thought we had guaranteed that in 1965 when we committed to the seniors of this country: Play by the rules and pay into the Medicare system, and your health care needs are going to be attended to. We did not say "with the exception of prescription drugs."

That is what has happened, Mr. President. Every day we fail our seniors, we break that commitment and pledge to them. The Republicans had 5 years to report out a bill, and they failed to do so. Thank you, TOM DASCHLE, and thank you, DEBBIE STABENOW, for standing up, and thank you for the bipartisan effort we had to support a program that would have done something about lowering the cost of prescription drugs and, as the Senator from Michigan has pointed out, as well as our leader, that is being held hostage by the Republican leadership in the House of Representatives.

Make no mistake about it, the Democrats happen to be on the side of seniors. We were on their side in the early 1960s when we fought for Medicare. If our Republican friends are against the Medicare Program, why don't they just come out and say it? They at least used to have the courage to do so. They do not now. They just say they differ with it or there is some other procedure or failure of some committee meeting. They used to at least have the courage to say they oppose it. They do not say that anymore. They try to give some other excuse. We are strongly committed, as the Senator from Michigan and the Senator from South Dakota have pointed out.

Mr. President, in the time I have remaining, I wish to highlight three very important areas, and these are areas which our leader, the Senator from South Dakota, Mr. DASCHLE, has mentioned, but I want to review them one more time.

More than 8 million Americans are competing for just over 3 million jobs. Maybe the Senator from Oklahoma does not believe we have an economic crisis, but he can travel with me through many of the New England States, including my State of Massachusetts, where we have the highest unemployment of any of the New England States. Talk to families there who, if they have not lost a job, they know members of a family who have or they know of a neighbor who has, and they have friends down the street who are seeing foreclosures on homes. This is the highest rate of foreclosures since the Depression, and we sit around in the Senate and say, We do not have an economic crisis?

We have double-digit inflation in health care, and we still say: It is not

robbing the pockets of working families. We see the tuition of our great universities increasing by more than three times the rate of inflation. No, no, that is not really our fault.

Why is it all those factors are coming in to place now under a Republican administration? Why? It still has not been answered. We are not just saying why, as the leader, TOM DASCHLE, has pointed out, we are making recommendations and suggestions trying to do something about it.

I heard this comment about how the Republicans are against minimum wage. I know they are. I know they have opposed it. They have opposed it since I have been in the Senate, and they opposed it before I came to the Senate.

This is basically an issue of dignity of men and women who work hard cleaning the buildings of this country, working as teachers' aides, working in nursing homes—men and women of dignity. They take the tough jobs. Perhaps they can be easily dismissed by Members in the Senate, but we take them seriously.

It is an issue involving women because the majority of the minimum wage recipients are women. It is a women's issue. It is the children because most of the women have children. How are those children going to grow up?

Talk about family values. What do we have when there is a family who needs a minimum wage increase and is working two jobs? How much time do they have to spend with their children? We hear a great deal about family values. The minimum wage is a family value issue, and it is a fairness issue.

We have raised our salaries four times in the Senate in the last six years. The last pay increase was by \$4,900. We have raised our salaries four times since we voted for an increase in the minimum wage. That is not acceptable. Maybe it is acceptable to some. Maybe there are people who can find excuses and say: What about the mom-and-pop store that is not going to be able to pay it?

We have dealt with those issues and those challenges. There are exclusions for the smaller mom-and-pop stores from the coverage, and there are exclusions for a variety of other entities where we get the same stories.

At least the Democrats are prepared to vote for an increase for the hard-working, neediest people in this society. As a result of the economic slowdown, there is an increase in the working poor. We want to do something about it. We are not giving excuses. We are fighting for those people. We are fighting to make sure they are going to be eligible for the unemployment insurance.

There are 3.2 million jobs and 8 million Americans unemployed. There are more Americans unemployed who are looking for fewer jobs. That is a phenomenon entirely different from our recent economic history.

Going back to the last serious recession we had in this country, look at the number of Americans, 1.4 million, who are out of benefits, and now in 2002 there are 2.2 million out of benefits, which is a continuation of the earlier point.

We have asked for and we have tried to get the extension of unemployment compensation that can make some difference, and we are going to continue to fight to do it. If we can get an increase in the minimum wage, we are prepared to do that as well.

The other issue we want to address is the issue we have in terms of pension reforms. We are not just satisfied with the House bill that is going to permit the various financial institutions to give the workers their information and make the decisions about how they are going to invest their pensions. Imagine that. Talk about putting the fox in the chicken coop. That is what the House bill does.

In the last hour, we heard somebody in this Chamber say: Let's pass that House bill. That will solve our problem in terms of the pensions. We are going to let the financial institutions that have a direct financial interest give the advice to the workers about how to do that.

Well, we hope we have learned something. We certainly have learned something over on this side. But that is basically the Boehner bill. He is a good friend. We worked with him on the education bill, but he is wrong about this.

Why is it important? It is important because we have seen the workers' retirement savings wiped out. There has been over \$1 billion lost, but the executives have cashed out at \$1 billion in gains. Look at what has happened to these companies. We are asked why we are fighting to get something meaningful done. The heads of these companies and corporations, such as the Enrons—Mr. Lay is going to receive a pension that is worth half a million dollars a year for life, and Bernie Ebbers of WorldCom will receive \$1.5 million a year for life, and the list goes on. They have been taken care of, but the workers have not.

We want to do something meaningful. We want to do something on unemployment compensation. We have to do something on minimum wage. We have to do something to protect America's workers in terms of pensions.

So even in the final hours that we have, we are going to be serious about dealing with the issue of the economy because in our part of the country people are hurting. Real families are hurting. Working families are hurting.

There are many, including myself, since September 11, who say we ought to put everything on the table in terms of our economy—put on the table future tax cuts for the wealthiest individuals. There are those on the other side of the aisle who do not want to do it. They would rather cut back on the education programs in terms of the future.

In the President's own program, he asks for additional kinds of tax cuts in his budget this year, even after September 11. Some of us are not sold on that. We believe in a sound economic program. It is not a matter of chance that the last two periods of time when we had the longest periods of economic growth and price stability in this country were under Democratic Presidents.

In terms of our economy, there are important differences that we believe in and that the Republicans believe in. We are asking for assistance by the American people on election day to restore a strong economy for this country.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. NICKLES. Mr. President, I love to hear my friend and colleague from Massachusetts. Sometimes we have a slight difference of opinion on a few of these issues, and I will try to clarify a couple of them. One which he has asked unanimous consent to pass is the unemployment compensation extension. Even in the consent request it says for a 13-week extension of unemployment compensation, but the fact is the bill is for 26 weeks. Right now, it is a Federal program.

Let me back up. States have a 26-week program. The Presiding Officer, as a former Governor from Delaware, understands the States have a 26-week program. There is a 13-week temporary Federal unemployment compensation extension we use in times of high unemployment, paid, basically, totally by the Federal Government. The Senator from Massachusetts is saying let's make that 13 weeks 26 weeks, not for a few States but all States, and then for some States an additional 7 weeks. So, basically, all States would get 52 weeks and some States would get 59 weeks.

I want to make sure people understand the facts. I do not mind debating facts, but I think we ought to be factual. The fact is he is trying to double the Federal program, and that is very expensive. A simple extension costs about \$6 billion or \$7 billion. The bill that people have tried to pass now for the third or fourth time by unanimous consent would cost \$17 billion.

If my colleagues want to be responsible, I will work with them, but we are not going to pass something like this. This is more of a political statement so they can say, we are trying to pass unemployment compensation, and they can have Senator NICKLES coming out objecting—those Republicans will not allow this to pass.

I was critical of the fact that the Senate has not passed appropriations bills and critical of the fact that the House has not. The House has not passed enough and neither has the Senate. My colleague from Massachusetts says all of the appropriations bills have to originate from the House. That is not what the Constitution says. The Constitution says all "revenue raising bills."

I have article 1, section 7:

All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

It is important we be factual. The House has to originate tax bills. The Senate can pass appropriations bills. I have always asserted our right. Because of tradition, the House wants to pass them first, and that is fine; that can be the tradition. But nothing should keep the Senate from passing appropriations bills first if we so desire. There is no point of order against them whatsoever.

A point that was made on the Finance Committee—and I was critical of the Senate for bringing up a prescription drug proposal without it going through the Finance Committee. I did a little homework. Since the creation of Medicare in 1965, 22 of the 23 Medicare expansions passed the Finance Committee—bipartisan, overwhelming. We had a tripartisan bill that had a chance to garner bipartisan support on which many of us were requesting a markup in the Finance Committee, before we got to the floor, so we would have a bipartisan approach when it came to the very important, critical, and expensive extension of prescription drugs to Medicare. We were denied that markup. We are going to have the most expensive expansion of Medicare since its inception, and it will be done on the floor of the Senate without input from committee, without scoring, without the CBO, without expert input.

That is a pretty crummy way to legislate. It makes one think the legislation was done more for political purposes than for substantive and legislative intent to make something happen.

My good friend from Massachusetts discussed minimum wage. Senator NICKLES is opposed. Not all Republicans are. This Republican is opposed to increasing the minimum wage from \$5.15 to \$6.65 in 14 months. That is a \$1.50 increase in 14 months. A lot of people are paying in the neighborhood of \$5.15 or \$5.50. If they have to pay an extra \$1.50 in the next year, many will say, I cannot do that, thank you very much. A small business in Delaware or Oklahoma—maybe it is a McDonald's—cannot always afford to pass the \$1.50 on and some employees will lose a job. Maybe it is pumping gas, sacking groceries, or sweeping floors.

My colleague said this is to help increase people's self-esteem and integrity, people who are sweeping the floors. I used to sweep floors. I used to have a janitor service. I used to work for minimum wage, and so did my wife. It was only about 34 years ago we did that, and the minimum wage at that time, if I remember, was a lot less than it is today. It did not hurt my self-esteem. I wanted to make more money, so I started my own business. It was rather successful.

My point is, I don't think we improve people's self-esteem alone by saying we will have the Federal Government setting higher standards, and if you can-

not make it, we would rather you be unemployed. I would rather have someone working for \$5.50 and climb the economic ladder than put that ladder up so high that they cannot get on and they stay unemployed and continue to draw welfare benefits.

I hear we want to freeze this Bush tax cut for the ultrawealthy, the tax cuts for the millionaires. When President Clinton was elected, the maximum personal income tax rate was 31 percent. He increased that rate to 39.6 percent for personal income tax. President Clinton did that retroactively in 1993. President Bush, over several years, eventually gets that 39.6-percent rate in an incremental phasing down to 35 percent. In other words, it is still several percent more than it was under President Clinton. It is 4 percentage points, but percentage-wise it is about a 13-percent rate higher than when President Clinton was elected.

President Reagan lowered the rate to 28 percent. President Bush, the 41st President, increased it, due to a lot of pressure, from 28 percent to 31 percent. President Clinton took it from 31 percent to 39.6. President Bush, the 43rd President, reduces that rate gradually from 39.6 percent to 35 percent over several years. My colleagues are objecting to that as tax cuts for the wealthy. But that is not nearly as much as the tax increase proposed by the previous administration.

It is very important we be factual. The pension bill has been on the calendar since July. Senator DASCHLE could have brought it up at any point. We have bipartisan support for the Finance Committee bill that was passed in July. The minimum wage has been on the calendar since May. If Senator DASCHLE wants to bring it up, he can. He is the majority leader. He has that right to bring up the issues. Two or three weeks before the election looks as if it is calculated more for political purposes than for trying to change the law of the land.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CONCLUSION OF MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that morning business be terminated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. The two managers are here for the conference report. They originally had 2 hours for the conference report, and I ask unanimous consent that if they need 2 hours, the time be from now until 5:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HELP AMERICA VOTE ACT OF 2002—CONFERENCE REPORT

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to the consideration of the conference report accompanying H.R. 3295, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3295) to require States and localities to meet uniform and nondiscriminatory election technology and administration requirements applicable to Federal elections, to establish grant programs to provide assistance to States and localities to meet those requirements and to improve election technology and the administration of Federal elections, to establish the Election Administration Commission, and for other purposes, having met, have agreed that the House recede from its disagreement to the amendment of the Senate, and agree to the same with an amendment, signed by a majority of the conferees on the part of both Houses.

The PRESIDING OFFICER. The Senate will proceed to the consideration of the conference report.

(The report is printed in the House proceedings of the RECORD of October 8, 2002.)

Mr. DODD. Mr. President, I am very pleased this afternoon to bring to the attention of the Senate the conference report agreement on legislation to reform our Nation's election laws. I anticipate we will not need the full time allocated. I would like to think Members are so interested they would like to come over and share their thoughts with us on this subject. But knowing there are no votes today, that is not likely to occur so we will probably use a lot less time than the 2 hours required.

I note the presence of my friend and colleague, Senator McCONNELL, the ranking member of the Rules Committee.

Before getting to the substance of my remarks, let me begin by thanking him and his staff, and the staff of Senator BOND as well, one of our conferees, and that of my own two conferees on the Democratic side, Senators DURBIN and SCHUMER, and their staffs, not to mention my own staff, Kennie Gill and others, for the tremendous work done on the Senate side of this effort.

It is somewhat ironic. I understand we are going to get this done. It is a quiet afternoon after Columbus Day. Members are still back in their States having spent the weekend with their families before returning tomorrow when we will have some additional votes as we begin to wind up this 107th Congress. It is somewhat ironic in a sense that we are in this sort of quiet stillness of this Chamber with only two of us here to talk, when you consider what gave rise to this legislation—the fact that there was one of the most tumultuous elections in the history of